

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI**

UNITED STATES OF AMERICA

VS.

CASE No. 4:17-CR-131

CHARLINE BRANDON

**MOTION FOR PRODUCTION AND DISCLOSURE
OF EXPERT WITNESS, EXPERT REPORT AND OPINIONS**

COMES NOW the Defendant, Charline Brandon ("Defendant), and pursuant to Rule 16, *Federal Rules of Criminal Procedure*, moves this Court to require the Government to produce the following information:

1.

That the trial of this cause is set for December 3, 2018, in Greenville, Mississippi.

2.

The within cause is not a uncomplicated cause; it is a multi-count Indictment charging various criminal acts related to Healthcare fraud. As such, many of the issues contained in the Indictment are very peculiar to the area of healthcare, healthcare operation, hospice care, Medicare/Medicaid programs and the like. The issues contained within the Indictment are very complicated and particularly complicated to a lay person.

3.

Immense amounts of discovery have been produced by the Government; upon information and belief in excess of 600,000 documents. Among the documents produced by the Government, no such reports of expert, opinions of expert or the like

have been disclosed or produced.

4.

In accordance with Rule 16(a)(1)(G), a Defendant upon request, must be provided by the Government all materials, opinions, summaries or the like from any expert witness upon which the Government intends to rely at trial.

As of this date, the Government has not provided any such information to the Defendant and upon which the Government may rely during its case-in-chief by way of an expert witness and the opinions to be expressed by such witness in accordance with *Federal Rules of Evidence*.

5.

Defendant respectfully requests that this Court will direct the Government, and the Defendant calls upon the Government, to produce all discoverable information, to advise the Defendant if it intends to call an expert witness, to produce the opinions of the expert witness and to further express such other information which is due pursuant to the *Federal Rules of Evidence* and Rule 16, *Federal Rules of Criminal Procedure*.

6.

If, however, and in the event the Government does not intend to utilize an expert witness, then the Defendant should be advised accordingly.

WHEREFORE, PREMISES CONSIDERED, the Defendant, Charline Brandon, respectfully requests that the information sought from the Government is not sought for purposes of delay, but so that the Defendant will be fully informed at the trial of this cause. Moreover, Rule 16, *Federal Rules of Criminal Procedure* require that such expert opinions and other related information be provided by the Government in the

event the Government intends to utilize such opinions and/or witnesses.

RESPECTFULLY SUBMITTED, this, the 7th day of June, 2018.

/s/ John H. Daniels, III
JOHN H. DANIELS, III, MSB #5787
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CERTIFICATE OF SERVICE

I hereby certify that on June 7, 2018, I electronically filed the foregoing with the Clerk of the Court using the ECF system which sent notification of such filing to the following:

Clayton A. Dabbs, Esq.

Robert J. Mims, Esq.

Edward J. Bogen, Jr., Esq.

Whitman D. Mounger, Esq.

Gerald H. Jacks, Esq.

Philip Mansour, Jr., Esq.

/s/ John H. Daniels, III
JOHN H. DANIELS, III, MSB #5787